

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JUANA ESTRELLA,

Plaintiff,

-against-

LOIS BOOKHARDT-MURRAY, M.D. and  
MORRIS HEIGHTS HEALTH CENTER

Defendants.

Case No. 21 CV 628 (JPC)

**STIPULATION AND ORDER  
OF DISMISSAL**

WHEREAS, on or about June 26, 2019, Plaintiff Juana Estrella (“Plaintiff”) brought a medical malpractice action against defendants Morris Heights Health Center (the “Health Center”) and one of its employees, Lois Bookhardt-Murray (“Bookhardt-Murray”) (together, the “Federal Defendants”), in the Supreme Court of the State of New York, County of Bronx, Index No. 27402/2019 (the “State Action”).

WHEREAS, on or about January 26, 2021, the State Action was removed to the District Court for the Southern District of New York by the Federal Defendants, and assigned Case Number 21 CV 628 (the “Removed Action”).

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties, by their respective counsel, pursuant to Federal Rule of Civil Procedure 41(a)(2), as follows:

1. The United States is hereby substituted as defendant in the Removed Action in place of Morris Heights Health Center and Lois Bookhardt-Murray.
2. Plaintiff’s claims against the United States with respect to the Removed Action are dismissed without prejudice and without costs to any party.
3. This Stipulation and Order of Discontinuance (the “Stipulation and Order”) may be executed in counterparts; a reproduced signature shall have the same force and effect as an original signature; and a facsimile or electronic copy of the Stipulation and Order shall have the same force and effect as an original.

4. The undersigned parties understand and agree that this Stipulation and Order contains the entire agreement between them, and that no statements, representations, promises, agreements or negotiations, oral or otherwise, between the undersigned parties or their counsel that are not included herein shall be of any force or effect.

Dated: New York, New York  
February 2, 2021

SHELDON E. GREEN, P.C.

By:   
SHELDON E. GREEN  
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Woodmere, NY 11598  
Tel.: (516) 569-3300

*Counsel for Plaintiff*

Dated: New York, New York  
February 3, 2021

AUDREY STRAUSS  
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Southern District of New York

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*Counsel for the United States of  
America*

SO ORDERED:

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JOHN P. CRONAN  
U.S.D.J.